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TRI-VALLEY CARES, MARYLIA KELLEY,
JANIS KATE TURNER, and JEDIDJAH DE VRIES

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

| | | |
|--------------------------------|---|---------------------------------|
| TRI-VALLEY CARES, MARYLIA |) | Case No. 08-cv-01372-SBA |
| KELLEY, JANIS KATE TURNER, and |) | PLAINTIFFS' UNOPPOSED |
| JEDIDJAH DE VRIES, |) | ADMINISTRATIVE MOTION TO |
| |) | EXCEED APPLICABLE PAGE |
| Plaintiffs, |) | LIMITATION |
| |) | and |
| vs. |) | [PROPOSED] ORDER THEREON |
| UNITED STATES DEPARTMENT OF |) | Date: April, 29, 2008 |
| ENERGY, NATIONAL NUCLEAR |) | Time: 1:00 p.m. |
| SECURITY ADMINISTRATION, and |) | Judge: Hon. Sandra B. Armstrong |
| LAWRENCE LIVERMORE NATIONAL |) | |
| LABORATORY, |) | |
| Defendants |) | |

1 Pursuant to Civil Local Rule 7-11, Plaintiffs file this Unopposed Administrative Motion
2 to Exceed Applicable Page Limitation. Plaintiffs ask the Court for permission to exceed the
3 otherwise applicable page limitation on motions under Civil Local Rule 7-2(b) by three pages.
4 The grounds for this motion are as follows: the complexity of the issues, the public interest in
5 avoiding irreparable injury to the human environment, and the assistance the Court will derive
6 from a more thorough explication of the case.

7 First, this action, which concerns a Biosafety Level 3 (“BSL-3”) facility at Lawrence
8 Livermore National Laboratory in Livermore, California, involves issues of a highly technical
9 nature that defy cursory examination. In addition, Plaintiffs plead four counts against
10 Defendants in their complaint: (1) failure to prepare an adequate EA and FONSI, (2) failure to
11 prepare an EIS, (3) failure to supplement, and (4) failure to comply with applicable regulations.
12 These counts are founded upon a factual underpinning that requires meaningful elaboration and
13 analysis.

14 Second, Plaintiffs’ motion for preliminary injunction seeks to protect the public from the
15 proposed BSL-3 facility’s inadequately studied risk of a release of pathogenic material into the
16 human environment. The significance of the public interest implicated in this case provides
17 further justification for the length of Plaintiffs’ motion.

18 Finally, the Court will derive substantial benefit from the level of detail and analysis in
19 Plaintiffs’ motion for preliminary injunction. This will enable the Court to render a reasoned
20 decision in the case, with a minimal expenditure of judicial resources.

21 Therefore, Plaintiffs ask the Court to grant this Unopposed Administrative Motion to
22 Exceed Applicable Page Limitation.

Dated this 25th day of March, 2008

/S/

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
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12 TRI-VALLEY CARES, MARYLIA
13 KELLEY, JANIS KATE TURNER, and
14 JEDIDJAH DE VRIES,
15 Plaintiffs,

16 vs.

17 UNITED STATES DEPARTMENT OF
18 ENERGY, NATIONAL NUCLEAR
19 SECURITY ADMINISTRATION, and
20 LAWRENCE LIVERMORE NATIONAL
21 LABORATORY,
22 Defendants

) Case No. 08-cv-01372-SBA

) **[PROPOSED] ORDER GRANTING**
) **PLAINTIFFS' UNOPPOSED**
) **ADMINISTRATIVE MOTION TO**
) **EXCEED APPLICABLE PAGE**
) **LIMITATION**

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PLAINTIFFS' UNOPPOSED ADMINISTRATIVE MOTION TO EXCEED APPLICABLE PAGE LIMITATION;

1 GOOD CAUSE APPEARING from Plaintiffs' Unopposed Administrative Motion to
2 Exceed Applicable Page Limitation,

3 IT IS HEREBY ORDERED that Plaintiffs' Motion for Preliminary Injunction may
4 exceed the otherwise applicable page limitation in Civil Local Rule 7-2(b) by three pages.

5 IT IS SO ORDERED.

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7 Dated: _____, 2008

Saundra Brown Armstrong

United States District Judge

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10 Approved as to form:

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12 Dated this 26th day of March, 2008

13 /S/

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19 /S/

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